S.B. Civil Misc. Appeal No.1308/2006

Smt. Shanti Devi.
vs.
Ramesh Chandra & anr.

Date : 12.10.2006

HON'BLE MR. PRAKASH TATIA, J.

Mr. S Ladrecha, for the appellant.

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Heard learned counsel for the appellant.

Since the court below has accepted the defence of the alleged contemners that they had no knowledge of the interim order as that was not communicated to them by their counsel, I do not find any reason to interfere in the impugned order passed under Order 39 Rule 2A CPC exonerating the contemners.

However, it is made clear that the appellant's case shall not be prejudiced by any order as the trial court is yet to decide the suit. The Court can appropriately mold the relief in view of the facts and subsequent developments.

With the above observations, this appeal is disposed of.

(PRAKASH TATIA), J.

S.Phophaliya